IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

WP(C).No. 33289 of 2003(K)

PETITIONER:

N.VIJAYAKUMARI, H.S.A., G.H.S.S.UDINUR,
UDINUR P.O., KASARAGOD DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

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1. **STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DEPUTY DIRECTOR OF EDUCATION, KASARAGOD.**

3. **THE ACCOUNTANT GENERAL (A&E), OFFICE OF THE ACCOUNTANT GENERAL (A&E), THIRUVANANTHAPURAM, KERALA.**

4. **THE HEADMASTER, G.H.S.S., UDINUR, P.O.UDINUR, KASARAGOD DISTRICT.**

BY GOVERNMENT PLEADER SRI.PRAKASH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

W.P. (C). NO. 33289 OF 2003

Dated this the 11th day of December, 2006

J U D G M E N T

The writ petition is filed with the following prayers:-

> "(i) To issue a writ of certiorari or other appropriate writ or order quashing clause (i) of Ext.P1 as unjust, illegal and unsustainable."
>
> (ii) To issue a writ of mandamus restraining the respondents recovering any amount from the petitioner on the basis of clause (i) with respect to the petitioner in Ext.P1."

In view of the judgment of this Court in W.A. No.27/2004, the writ petition is only to be allowed. The required consequential orders, if not already passed, shall be passed, within a period of three months from the date of production of a copy of this judgment by the petitioner. A copy of the judgment in W.A. No.27/2004will be appended to this judgment.

KURIAN JOSEPH, JUDGE

vps

KURIAN JOSEPH, JUDGE

OP NO.

JUDGMENT

11th DECEMBER, 2006